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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,562	10/12/2001	Toshiyuki Sashihara	P/3236-34	1448

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EXAMINER

HARVEY, DIONNE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,562

Applicant(s)

SASHIHARA ET AL.

Examiner

Dionne N Harvey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/12/01
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/23/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-4 and 6-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Line 4 of both, claims 2 and 6, recite "said address pool". To which address pool does the Applicant refer? ;

Lines 7-8 of claim 2 and lines 6-7 of claim 6 recite "said radio-relay station". To which radio-relay station does the Applicant refer?;

Claim 3 recites, "said address pool is not renewed and said second network address is not renewed". Claim 4 recites "said second network address is renewed".

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Claim 7 recites "said address pool is not renewed and said third network address is not renewed." Further clarification of the term "renewed" is requested.

Claims 2-4 and 6-9 are replete with the use of "other" and "said other" etc. The Examiner suggests the use of "a first", "a second", "said second" etc., in order to more clearly describe the Applicant's invention.

Claims 8 and 9 are rejected under 35 U.S.C. 112 second paragraph, due to their dependency upon rejected claim 6.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by

McAlinden (US 5,946,633).

Regarding claim 1, McAlinden teaches a wireless network system comprising: a radio-relay terminating station **102**; a radio-relay station **108** being connected to said radio-relay terminating station in a wireless manner (**see column 2, lines 66-67**); a wireless terminal **via 104** being connected to said radio-relay station **108** in a wireless manner; and wherein said radio-relay terminating station preserves a plurality of network addresses to be assigned to said radio-relay station and to said wireless terminal (**see column 2, lines 55-60**), assigns a first network address belonging to said

plurality of network addresses to said radio-relay station and collectively feeds an address pool making up a part of said plurality of network addresses to the radio-relay station (**see column 3, lines 27-32**), and wherein said radio-relay station preserves said address pool and assigns a second network address belonging to said address pool to said wireless terminal.

Regarding claim 2, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach a wireless network system further comprising an other radio-relay station, wherein said other radio-relay station preserves an other address pool being different from said address pool and wherein, when said radio-relay station is connected said other radio-relay station, said other radio-relay station assigns a third network address belonging to said other address pool to said radio-relay station.

Regarding claim 3, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach that said other radio-relay station is connected to said radio-relay terminating station, said other address pool makes up of a part of said plurality of network addresses and said address pool is not renewed and said second network address is not renewed.

Regarding claim 4, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach that the wireless network system further comprises an other radio-relay terminating station which preserves an other plurality of network addresses being different from said plurality of network addresses and wherein, when said other radio-relay station is connected to said other

radio-relay terminating station, said address pool is renewed to become still an other address pool making up a part of said other plurality of network addresses and said second network address is renewed to become a fourth network address belonging to said other address pool.

Regarding claim 5, McAlinden teaches a network address assigning method for assigning a network address to a radio-relay station **108** and a wireless terminal **via 104** in a wireless network system made up of a radio-relay terminating station **102**, said radio-relay station, and said wireless terminal, said method comprising: a step of feeding a plurality of network addresses to said radio-relay terminating station (**see column 2, lines 55-60**); a step of assigning a first network address belonging to said plurality of network addresses to said radio-relay station being connected to said radio-relay terminating station in a wireless manner (**see column 3, lines 27-32**); step of notifying said radio-relay station being connected to said radio-relay terminating station in said wireless manner of an address pool making up part of said plurality of network addresses; and a step of assigning a second network address belonging to said address pool to said wireless terminal being connected to said radio-relay station in a wireless manner.

Regarding claim 6, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach a network address assigning method, wherein said wireless network system includes an other radio-relay station having an other address pool being different from said address pool and wherein, said

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radio-relay station is connected to said other radio-relay station, a third network address belonging to said other address pool is assigned to said radio-relay station.

Regarding claim 7, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach that when said other radio-relay station is connected to said radio-relay terminating station said other address pool makes up said plurality of network addresses and said address pool is not renewed and said third network address is not renewed.

Regarding claim 8, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach that said wireless network system includes an other radio-relay terminating station and wherein, when said other radio-relay station is connected to said other radio-relay terminating station, said network address assigning method comprises: a step of feeding an other plurality of network addresses being different from said plurality of network addresses to said other radio-relay terminating station; a step of notifying said other radio-relay station of said other address pool making up a part of said other plurality of network addresses; a step of notifying said radio-relay station of still an other address pool making up a part of said other plurality of network addresses; and a step of assigning a fourth network address belonging to still an other address pool to said wireless terminal.

Regarding claim 9, **as best understood with regard to the U.S.C. 112, second paragraph rejection above**, McAlinden appears to teach that said plurality of network addresses contain a value corresponding to said radio-relay terminating station and

wherein, when said value belonging to said first network address is different from said value belonging to said third network address, still said other address pool is notified.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

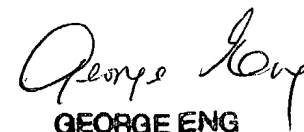
Hopprich US 6,792,472 teaches a method of allocating addresses in a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dionne N Harvey whose telephone number is 703-305-1111. The examiner can normally be reached on 9-6:30 M-F and alternating Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dionne Harvey


GEORGE ENG
PRIMARY EXAMINER